



ROUND ROCK, TEXAS
PURPOSE. PASSION. PROSPERITY.

November 24, 2008

Lance R. Hughes
Hughes Capital Management, Inc.
1301 Capital of Tx Hwy
Suite A-300
Austin, Texas 78746

RE: Administrative Amendment to PUD 82, Private Street Design
Standards and Second Entry

Dear Mr. Hughes:

The following are administrative modifications of PUD (Planned Unit Development) zoning district No. 82 (Arbor Place) to provide for private street design modifications to preserve existing trees and to provide the location, design and maintenance responsibility for a second entry to the private street system. These modifications, as provided for by Section 12.7 of the Development Plan, are hereby approved:

1) The following shall be added to Section 5.1 of the Development Plan:

Subject to the approval of the City Engineer, minor reductions in roadway widths may be made to preserve trees that exist during construction of the private street system. Such minor reductions in roadway widths shall be designed by the Owner's engineer and shown in the Subdivision Improvement Construction Plans. Upon completion of the private street system and after the issuance by the City of the first building permit for the Property, no other reductions in roadway widths shall be made at the Property.

2) The following shall be added as a new Section 5.4 of the Development Plan:

In accordance with Section 8.423 (4) (d) of the Round Rock Code of Ordinances (1995 Edition), in addition to the point of ingress and egress to and from the Property from a public street provided by Lot 1, Block G, shown on the final plat of Arbor Place, Phase One as recorded in Cabinet FF, slides 85-88 of the Williamson County Plat Records, a second point of ingress and egress (the "Second Entry") for the Property shall be

Mayor
Alan McGraw

Mayor Pro-tem
Joe Clifford

Councilmembers
Rufus Honeycutt
George White
Carlos T. Salinas
Scott Rhode
Kris Whitfield

City Manager
James R. Nuse, P.E.

City Attorney
Stephan L. Sheets

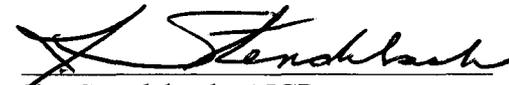
provided. The Second Entry shall be constructed within the limits of the variable width emergency access easement and water & wastewater easement shown on Lot 4, Block A on the final plat of Arbor Place, Phase One as recorded in Cabinet FF, slides 85-88 of the Williamson County Plat Records.

The Second Entry shall be a minimum of twenty feet (20') wide, be edged with concrete curbing, shall be designed and constructed to City of Round Rock Fire Department standards, and shall be sufficient to support and convey emergency vehicles from Smyers Lane to Lot 1, Block G of Arbor Place, Phase One or vice versa. Concrete driveways in accordance with City of Round Rock standards shall be provided at the connection points of the Second Entry with Smyers Lane and Lot 1, Block G. The surface material of the Second Entry shall be subject to the review and approval of the City Engineer. Chains, gates or other means approved by the City of Round Rock Fire Department and the City Engineer shall be provided near Smyers Lane and near the aforementioned Lot 1, Block G that will prevent vehicular traffic from continuous use of the Second Entry for ingress to or egress from the Property except when the chains, gates or other means are removed at times of emergency.

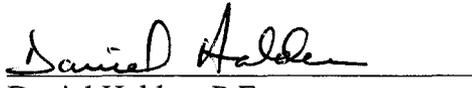
Within the Property, the Property Owners Association shall maintain the Second Entry, including the driveway connection to Lot 1, Block G, in such a manner that it will continually meet City of Round Rock Fire Department standards and be sufficient to support and convey emergency vehicles. The Property Owners Association shall also maintain the aforementioned chains, gates or other means established to prevent use of the Second Entry except in times of emergency. The costs of maintenance of the Second Entry and aforementioned chains, gates or other means shall be included in the calculations and assessments associated with the Street Maintenance Reserve Fund as provided for in Section 8.423 (5) (b) of the Round Rock Code of Ordinances (1995 Edition). The Second Entry shall also be included in the inspection as provided for in Section 8.423 (5) (e) of the Round Rock Code of Ordinances (1995 Edition).

Notwithstanding the preceding, the City of Round Rock may at any time authorize the use of the Second Entry for police and other emergency vehicles, public and private maintenance and service personnel, and government employees in pursuit of their official duties. Furthermore, the City of Round Rock shall at all times have the right but not the obligation to block ingress or egress to or from the Second Entry at Smyers Lane, and to grade or perform other modifications within the aforementioned variable width emergency access easement and water & wastewater easement as necessary to make the Second Entry suitable for emergency use.

Sincerely,


Jim Stendebach, AICP
Director of Planning


Charles Crossfield
City Attorney


Daniel Halden, P.E.
City Engineer

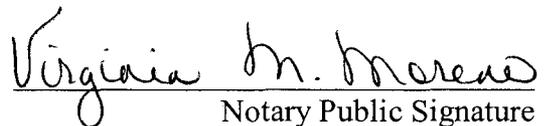
THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Jim Stendebach, known to me to be the person whose name is subscribed to the foregoing instrument as the Director of Planning of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24th day of November, 2008.



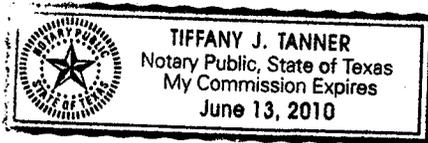

Notary Public Signature
State of Texas

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Daniel Halden, known to me to be the person whose name is subscribed to the foregoing instrument as the City Engineer of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 26th day of November, 2008.



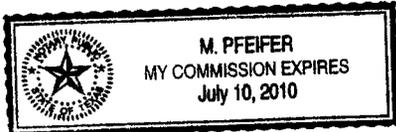
Tiffany J. Tanner
Notary Public Signature
State of Texas

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Charles Crossfield, known to me to be the person whose name is subscribed to the foregoing instrument as City Attorney of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 22 day of Dec., 2008.

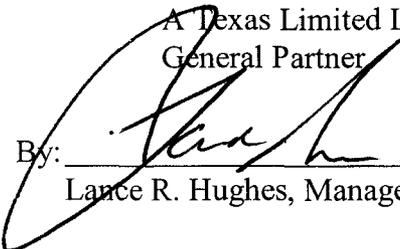


M. Pfeifer
Notary Public Signature
State of Texas

AGREED TO BY OWNER:

RR ARBOR PLACE, LP
A Texas Limited Partnership

BY: RR ARBOR PLACE GP LLC
A Texas Limited Liability Company, its
General Partner

By: 
Lance R. Hughes, Manager

THE STATE OF TEXAS §

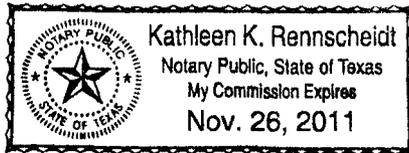
COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Lance R. Hughes, known to me to be the person whose name is subscribed to the foregoing instrument as an Authorized Representative for RR Arbor Place GP LLC, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

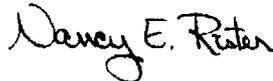
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19th day of JANUARY, 2009.



Notary Public Signature
State of Texas



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2009004217



01/26/2009 08:27 AM

SURRATT \$32.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

① City of Round Rock
301 W BAGDAD St 210
Round Rock, TX 78664